



COURT WATCH PROJECT REPORT

**21st Circuit St. Louis County, Division 33
January 1st – June 30th, 2018
The Hon. Jason D. Dodson, presiding**

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Introduction

For over 20 years, the Court Watch Project has been sending trained volunteers into the St. Louis Circuit Courts to observe and gather information when there has been an identified need for change. Over the past decade, it has been an effective way to make small collaborative changes. With continued partnership and a shared commitment to hold offenders accountable, we encourage stakeholders within the court and community to sit at the table as they have for years and discuss ways to improve the Adult Abuse Court.

Court Watch uses a transparent process when monitoring the order of protection proceedings. The project shares all monitoring practices and areas of focus with judges and court administrators in advance. This provides all stakeholders with a clear understanding of the monitoring process. The forms have also been recently revised to include more key elements of procedural justice: voice, respect, neutrality, understanding and helpfulness. Best practices are designed to create safeguards for victims of domestic violence during elevated risk, such as the order of protection process.

The St. Louis County Domestic Violence Court and Family Violence Council have been continuously supportive of the mission of the Court Watch Project. The Domestic Violence Court should be applauded for its continuing interest in self-evaluation and community feedback the Project can provide. St. Louis County Domestic Violence Court recently asked the Center for Court Innovation to complete a Needs Assessment specifically identifying the strengths, weakness and opportunities for the Court moving forward. This assessment was conducted in April 2018 and a report is pending.

On a broader scope, while great strides have been made in the strengthening of the current laws, there still needs to be a continued focus on additional legislation to further protect victims, especially around areas of firearms. St. Louis County Domestic Violence Court has been working with St. Louis County Police Department drafting protocols for firearm surrender. Implementation of these protocols began in Spring of 2018 and compliance hearings are a part of the regular dockets.

The Leadership team is comprised of Advocates from the domestic violence community: Christina Holmes, RUNG for Women, Susan Kidder, Safe Connections, Michelle Schiller-Baker, St. Martha's Hall, Jessica Woolbright, St. Martha's Hall, and Carla Maley, Court Watch Project Coordinator.

COURT WATCH PROJECT

MISSION STATEMENT

The mission of the Court Watch Project is to make the justice system more effective and responsive in handling cases of domestic violence perpetrated against women and children and to create a more informed and involved public.

The Court Watch Project is a volunteer staffed project under the auspices of the St. Louis Ending Violence Against Women Network (SLEVAWN), in which court proceedings in the St. Louis Circuit Courts are monitored. That information is made available to the court, the Bar and the public to ensure transparency and to give victims a greater voice in how the court processes domestic violence cases. Volunteers attend court on specific days to observe Civil Protection Order cases and record case outcomes on a form.

HISTORY OF COURT WATCH

In January of 1997, concerns were raised at a Missouri Coalition Against Domestic Violence, now known as Missouri Coalition Against Domestic and Sexual Violence (MCADSV), St. Louis Metropolitan Region meeting about whether victims of domestic violence were getting the Orders of Protection that they needed and whether these victims were being treated fairly by the Judges and court personnel. A suggestion was made to start a court watch program to address these concerns. A committee was formed to develop a court watch project.

In April of 1997, with a limited number of volunteers, the St. Louis Metropolitan Region of MCADSV began monitoring three (3) of the nine (9) courtrooms which hear Order of Protection cases in the Circuit Court of the State Missouri, Twenty-First Judicial Circuit in St. Louis County. An increase in volunteers allowed the program to expand to all nine (9) courtrooms in March of 1998. Plans began to be made to expand the Court Watch Project to the Twenty-Second Judicial Circuit Court of the State of Missouri in St. Louis City in both the civil divisions which hear Order of Protections cases, as well as the two criminal divisions, which hear misdemeanor and felony domestic violence cases.

There was then a change in staff at the lead agency for the Court Watch Project (St. Martha's Hall), and it slowly decreased in participation, and then ceased operations. In 2006 the Court Watch Project became a permanent program under MCADSV St. Louis Metropolitan Region and the Family Violence Council of St. Louis City as the two organizations joined efforts to expand this project. The Program remained active until 2008.

Recognizing again that victims of domestic violence were still experiencing problems in the courtroom in 2013, SLEVAWN reignited the Project. In 2014 the Advocacy and Action Committee of SLEVAWN sought and received funding for the Court Watch Project from SLEVAWN to buy supplies.

In September 2015 St. Martha's Hall, acting on behalf of the Court Watch Project received a three-year grant, *Justice for Families Grant*, from the Department of Justice, Office on Violence Against Women. The Project now has a paid coordinator, an independent contractor.

NECESSITY OF A COURT WATCH PROJECT

Victims of domestic violence enter courtrooms in St. Louis County and City everyday seeking help to escape the violence in their lives. Many victims experience frustrations with the process, which leads to a lack of trust in the judicial system when seeking Orders of Protection and/or testifying against their abusers in criminal domestic violence cases. Unlike someone being prosecuted for a crime, victims of domestic violence have very few rights.

To help support victims on a systemic level, volunteers are needed to monitor the courtrooms that hear the Adult Abuse Order of Protection Dockets, to work toward improved outcomes for victims. The feedback received through a court watch project can be used to change the policy and procedure in several ways. The results can be shared with the Presiding Judge with a request for changes. The results can be published to encourage change.

“Ensuring Justice for Victims of Domestic Violence”

JANUARY 1ST – JUNE 30TH, 2018

21st Circuit St. Louis County, Division 33
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OBJECTIVES AND DEVELOPMENT OF COURT WATCH PROJECT

- Send trained volunteers into the courtroom to evaluate whether victims of domestic violence are being treated fairly by the judicial system.

Volunteers attend court dockets on specific days to observe Civil Protection Order cases and record case outcomes and evaluations on a standardized form. That information is made available to the court, the Missouri Coalition Against Domestic and Sexual Violence, the St. Louis Ending Violence Against Women Network, and the public to ensure transparency and to give victims a greater voice in the court process.

- Identify the problem patterns and issues within the court system.

During this six-month period, 18 dockets were observed by 21 individual monitors. Each docket typically has two monitors collecting and reporting observations. The Court Watch Project Coordinator was present for assistance only and did not collect data. Several monitors attended on multiple dates providing a combination of experienced monitors as well as new monitors with new perspectives of their observations.

- Promote victim safety and offender accountability.

The July 1st, through December 31st, 2017 Court Watch Project reports for St. Louis City Circuit Court, Division 14 and St. Louis County Circuit Court, Division 37 were completed and provided to the presiding judges of each circuit, the respective sheriffs, the St. Louis Ending Violence Against Women Network (SLEVAWN), the Missouri Coalition Against Domestic and Sexual Violence (MCADSV), the Missouri Bar Association, key stakeholders and the broader community via various organizational website postings in March 2018. Recommendations regarding safety and security, and other various protocols were provided within the reports along with updates of past recommendations. Members of the Court Watch Project Leadership Team attended Civil and Criminal Contempt dockets to observe the offender accountability practices in place in St. Louis County Domestic Violence Court.

In March 2018, the Court Watch Project Coordinator met with the presiding judge of St. Louis County Circuit Court, Division 37, the Honorable John Essner, to discuss

specific recommendations from the Court Watch Project Report, July 1st through December 31st, 2017, in regard to courtroom and court hallway security. The court bailiff was provided with safety protocols specific to adult abuse dockets and the Domestic Violence Court Coordinator reviewed the staggered exit process with the bailiff when advocates are meeting with victims.

- Improve the administration of justice.

In March 2018, the Court Watch Project Coordinator met with the presiding judge of St. Louis County Circuit Court, Division 37, the Honorable John Essner, to discuss specific recommendations regarding docket efficiency. One consistent pattern observed by the monitors was dockets lasting four to five hours with very little cases actually heard in front of the Judge. The docket also included family custody and “name change” cases throughout the adult abuse docket. The Court Watch Project Coordinator offered suggestions on ways to improve efficiency such as having advocates handle “no service” cases, hearing cases in specific orders, and eliminating all non-intimate partner abuse cases from the docket. The Court Watch Project Coordinator also provided highlighted recommendations to the St. Louis County Domestic and Family Violence Council. In June 2018, the Court Watch Project Coordinator and the Domestic Violence Court Coordinator for St. Louis County attended a training by the Center for Court Innovation in Minneapolis, MN allowing an opportunity to engage and learn from other domestic violence courts around the country. Specific elements of Compliance Courts and coordinated response when addressing offender accountability were discussed. Carey DeLargy, the Domestic Violence Court Coordinator for St. Louis County Domestic Violence Court, shared relevant information with the Domestic Violence Court judges.

- Increase public awareness and public trust in the justice system.

An additional twenty volunteer courtroom monitors were trained during this six-month period for the Court Watch Project. As our current monitors, these individuals are prospective jurors and voters in our community who now possess an increased awareness and understanding of the justice system and domestic violence. These volunteers influence judicial retention and the community’s response to domestic violence. Past reports are available to the public online via the SLEVAWN website, <https://slevawn.org> to educate other citizens and further informed civil engagement in the St. Louis community.

METHODOLOGY OF THE COURT WATCH PROJECT REPORT

There are two Court Watch monitor forms: 1. Courtroom Protocol and 2. Case Observations. Each monitor completes one Courtroom Protocol form for the entire docket. The Case Observation form is used for individual “default” or “full hearing” case only. Information regarding “consents”, “continuances” and “child orders” are not collected. However, all Courtroom Protocol narrative observations are collected for the entirety of the docket even incidents occurring during one of the types of hearings not formally being collected in a Case Observation form. The purpose of the narrative observations is to provide a more comprehensive perspective of the courtroom, the staff and the proceedings and fill in any gaps the standardized questions cannot capture.

The data is broken out into “default” cases and “full hearing” cases, notated as such within the report, and are separated out because some questions are only applicable to full hearings. Continuances and dismissals are not recorded for the same reasons. Narrative comments from monitors are noted in italic purple below. The Project Coordinator reviewed each form as it was turned in to ensure consistency between the monitors. The complete list of data outcomes is posted on the SLEVAWN.org website along with this and earlier completed reports. The questions below are the direct questions completed on the forms. Some questions are not used for external reporting at this time but are collected for internal record keeping.

The Leadership Team of the Court Watch Project meets annually to review forms and questions to ensure relevance and validity of the data collected and to identify ways to improve the instruments for the next cycle. Forms were revised in December 2017 to reflect those changes. The following are the elements of Courtroom Protocol and Case Observations we aimed to measure, the questions we used to measure those elements, and the findings of those questions.

Courtroom Protocol

Sample size – 31 Forms collected from 20 monitors attending 18 separate dockets

**denotes monitors' comments*

Timeliness of the Docket

Question 1-2: What time was the docket scheduled? What time was the docket called?

Finding: Judge Dodson consistently came to the bench to begin the docket between 9:00am and 9:05am. The monitors' responses to the time the docket was called varied because while some monitors noted the time the Judge came to the bench, others noted the time he began to call the names on the actual docket. He gave a lengthy but very informative introduction for litigants that lasted approximately 15 to 20 minutes. This question will be reviewed by the Leadership Team to ensure it captures the correct information intended.

Efficiency of the Docket

Question 4: Were all the names on the docket called before individual cases were brought to the bench?

Finding: In 100% of the observed dockets, monitors noted the Judge called the entire docket before individual cases were brought to the bench.

Question 8: Were No service/No return cases either handled first (county) or handled on the side by the clerks/advocates (city)?

Finding: In 100% of the observed dockets, monitors indicated no service cases were handled first by the Judge. The Judge also announced when calling the docket rather the individual's case had service or not and gave instructions about to the Petitioner that they would work to provide them with a continuance date. During the last docket observed, it should be noted that advocates were assigned to handle no service cases. The Judge still made announcement that if the Petitioner had any questions they could speak with him directly if they preferred.

Question 9: Did it appear that cases with one party were called up to the bench before cases with two parties?

Finding: In 100% of the observed dockets, default cases were addressed by the Judge before full hearings.

This judge is so professional and efficient.

Transparency of the Process

Question 5: Did the Judge explain the court process to the parties, either verbally or through a handout, before the hearing?

Finding: In 100% of the observed dockets, monitors noted that the Judge explained the process prior to the start of hearings. As stated previously, the Judge was incredibly thorough with his introduction providing information to litigants in an easily understandable approach.

Best explanation ever! I wish all judges did this. I learned so much!

Judge explained in detail about what an OP is, what it means for Petitioner and Respondent, how the decision is made and what happens in the hearing.

Asked attorney to wait to talk to client so he could give out instructions.

Question 10: Did the judge call the Respondent's name before proceeding as a default?

Finding: In 100% of the observed dockets, the Judge did call the Respondent again before proceeding with the default hearings.

Litigant Support

Question 6: Did you see advocates speaking to Petitioners prior to court starting or their cases being heard?

Finding: In 68% of the observed dockets, monitors indicated advocates were speaking to Petitioners prior to court or their cases being heard. It should be noted that the current practice for advocates is to meet with Petitioners after the Judge has spoken to them or their hearing is complete. When time permits and if the Petitioner is not represented, the advocates were observed meeting with Petitioners prior to full hearings. From conversations with the St. Louis County Domestic Violence Coordinator, the process by which advocates meet with Petitioners is at times based on each division's judicial preference or the number of advocates readily available. Because of the new practice of advocates handling no service cases, advocates are having more opportunities to engage with victims earlier, providing an opportunity for victims to receive information about the court process prior to meeting with the judge. Any opportunities for advocates to meet with Petitioners prior to testifying should be encouraged.

They seemed to only speak to Petitioners after case was heard.

Did not see advocates talking with anyone for almost 40 minutes while Judge spoke with attorneys.

One Petitioner was there for almost 2 hours before talking with anyone because docket was long, and her case was listed as default. She was there to dismiss. No advocate spoke with her beforehand which could have kept

her from sitting there all morning. Judge did have advocate meet with her before dismissing.

Question 7: Were advocates accessible throughout the court proceedings?

Finding: In more than 95% of the observed dockets, monitors noted that advocates were readily accessible throughout the court proceedings. The Judge utilized advocates appropriately and efficiently and the Domestic Violence Court Coordinator was readily available to provide additional assistance to any of the Judge, court staff or volunteer advocates.

Safety and Security

Question 3: Were parties separated to different sides of the courtroom as they entered? (either by bailiff instructing them, during check in, sign posted, etc?)?

Finding: In 100% of the observed dockets, monitors observed parties being separated to different sides of the courtroom as the Bailiff checked them in. The Judge also announced that parties should be sitting on opposite sides of the courtroom during his introduction.

Courtroom change due to technical issues. Parties were separated, and Petitioners were moved first.

Question 11: Was there a Bailiff in the courtroom at all times?

Finding: In 100% of the observed dockets, monitors observed the Bailiff in the courtroom at all times.

Even when there was screaming in hallway, the Bailiff stayed and closed the door.

Question 12: How closely was the bailiff monitoring the courtroom?

Finding: In 84% of the responses, monitors agreed or strongly agreed that the Bailiff was closely monitoring the court room. Most of the comments indicated the Bailiff was alert, engaged and addressing any safety issues as they were raised.

Bailiff always professional.

During the six-month reporting period there were several other deputies that were brought in addition to the Judge's Bailiff for training purposes. There were several comments directed at these individuals.

Bailiff did not address three Respondents continuously looking over toward Petitioner prior to hearings.

There was another bailiff in the courtroom that was sleeping or on the phone the whole time.

Bailiff was not monitoring the courtroom during a brief recess, instead he was on his phone.

Case Observation

Sample Size – 46 default observations and 33 full hearing observations (individual cases) collected from monitors attending 18 separate dockets.

Litigant Support

Question 1-2: Was the Petitioner represented by an attorney? Was the Respondent represented by an attorney?

Finding: In 12% of the observed default cases, Petitioners were represented by an attorney. In 12% of the observed full hearings, Petitioners had an attorney present. In 21% of the full hearings, Respondents had attorneys. There were six full hearings with Respondent represented by an attorney, yet the Petitioner was not. There were only three full hearings where the Petitioner was represented but the Respondent was not.

Question 3-4: If the Petitioner needed a language interpreter was one provided? If the Respondent needed a language interpreter was one provided?

Finding: In less than 5% of the observed cases, monitors indicated a language interpreter was provided to Petitioners. There was one instance only one interpreter was available for both the Respondent and Petitioner. The Judge continued the case to ensure two were present for the full hearing.

Only one interpreter was present when two were requested. Interpreter was going back and forth between Petitioner and Respondent. Mics were provided but not utilized as no one in the courtroom knew how to use them it seemed. Volunteer attorney worked with the one interpreter to resolve the case prior to hearing. Judge continued the case to ensure two interpreters were present for hearing. Advocate did not talk to Petitioner until end of the morning but both Petitioner and Interpreter denied assistance so they could just leave.

Question 5: Was a Guardian Ad Litem, volunteer lawyer or mediator involved in some way to address custody? (mark n/a if no children involved)

Finding: In 8% of the observed cases, monitors noted that a GAL, volunteer lawyer was involved. Because monitors only completed forms on adult orders,

this number is expected to be low. Volunteer lawyers were often utilized for consent orders which are also not monitored. This question will be reviewed by Leadership Team to ensure it is capturing information that is necessary for the objectives of the Court Watch Project.

Question 6: Was Batterers Intervention Program or Substance Abuse treatment discussed?

Finding: In 52% of the observed cases, Batterer Intervention Programs (BIPS) or Substance Abuse Treatment was discussed. Since the Judge can only order these programs when a full order is issued, it is expected that the finding would be consistent with the number of orders issued. Judge Dodson regularly discussed with Petitioners these programs and referred Respondents to them when appropriate. He also addressed this during his introductory remarks. He was also cognizant of safety or escalation concerns if Respondent was ordered to these programs and discussed these possibilities with Petitioners.

Offered option to Petitioner but did not order based on Petitioner's request.

Explained BIPS and that they are specifically not anger management.

Judicial Manner

Question 7 & 9: Did the Judge treat the Petitioner with respect? Did the Judge treat the Respondent with respect?

Finding: The monitors noted in 100% of the observed cases that the Judge did treat the Petitioner and Respondent with respect. In 100% of default cases the Judge did treat the Petitioner with respect.

Very kind tone and disposition. Stated to Petitioner "I'm glad you are here".

Did not make Petitioner explain further once she gave details of assault.

Question 8: Did it appear that the Petitioner was given a chance to provide testimony and be heard?

Finding: In 100% of the observed cases, monitors responded yes.

Judge Dodson asks a lot of questions and seems very thorough. He is professional and considerate of both Petitioner and Respondents.

Judge does an excellent job of listening to both sides and bringing order when anger or chaos begins.

Question 10 (full hearings only): Did it appear that the Respondent was given a chance to provide testimony and be heard?

Finding: In 98% of the observed cases, monitors responded yes.

Allowed ample time to answer his questions; offered options.

Judge kept composure and respectful manner towards Respondent when Respondent was crying and having outburst. Respondent attempted interaction and begged for forgiveness.

Judge was very patient. Respondent appeared to be mentally unwell and Judge was respectful and patient with his ramblings and bizarre beliefs.

Question 11: Was a full order of protection granted?

Finding: In 100% of the observed default cases, the full order was granted. 64% of the full hearings observed were granted, all others were taken under advisement. 16% of the full hearing outcomes were unknown because the Judge took the case under advisement. In these instances he gave instructions to the litigants regarding the date a decision would be made and that the decision would be mailed to them or they could contact the court for information on that date.

Question 12: Did the judge explain the ruling and elements of the order in plain language to the Petitioner and/or Respondent?

Finding: In 100% of the observed default cases, monitors noted the Judge explained the order to the Petitioner. For full hearings, 80% of the responses by monitors noted the Judge explained the ruling and elements. The percentage for full hearings is a bit lower because when a case was taken under advisement, monitors would note that the question was not applicable. Only 3% of responses by monitors indicated they felt the Judge did not explain the ruling to the litigants.

Encouraged child custody case since they both have rights.

Question 13: Was there a discussion about firearms or firearm retrieval?

Finding: In 69% of the observed cases, monitors noted that there was a specific discussion around firearms or firearm retrieval. Again, for instances where the case was taken under advisement or an order was not granted, this was marked “n/a” or “no”. It should be noted that the Judge did routinely and consistently

discuss firearms when appropriate and discussed this issue during his introduction.

Question 14: Were consequences of breaking the order explained to the Respondent?

Finding: 47% of the responses from monitors indicated they felt the Judge specifically explained consequences of breaking the order to the Respondent. There were many notes from monitors who marked “n/a” that this was explained thoroughly during the introduction. The Judge does discuss the ramifications of breaking the order during his introduction, as well as options available to Petitioners.

Courtroom Safety

(The following questions are specific only to the 33 full-hearing cases observed)

Question 15: Was precaution taken to ensure the separation of this Petitioner and Respondent **before** the proceedings?

Finding: In 100% of the observed cases, monitors observed the parties separated before the proceedings.

Respondent originally sat near Petitioner and Bailiff instructed Respondent to move.

Question 16: Did the bailiff stand near the parties **during** testimony (City)? Or were the parties seated at tables (County)?

Finding: In 100% of the observed cases, monitors observed the Bailiff near the parties during testimony. The Bailiff consistently sits between the tables the parties are seated at to provide testimony.

Question 17: Was precaution taken to ensure the separation of Petitioner and Respondent immediately **after** testimony as they waited for paperwork?

Finding: In 98% of the observed cases, monitors observed separation of the parties after testimony.

Stopped a Respondent from leaving. Awesome!

Question 18: Was the Respondent held in the courtroom to allow the Petitioner time to safely leave the courtroom and courthouse?

Finding: In 99% of the observed cases, monitors noted that the Petitioner was given time to leave the courtroom. The Bailiff and Court Officer worked closely to ensure Respondents were held in the courtroom until the Petitioner was out of the courthouse. If advocates met with Petitioner and there was a delay in them leaving, advocates were observed talking with the Bailiff to arrange escorts to the parking lot after Respondents were dismissed.

Question 19: Overall, was the Bailiff attentive during this hearing?

Finding: In 98% of the responses from monitors, they indicated they agreed or strongly agreed that the Bailiff was attentive during this hearing.

Bailiff was aware of tension and acted accordingly.

Question 20: In your opinion, did the proceedings seem controlled, efficient and serious in nature?

Finding: 99% the responses from the monitors agreed or strongly agreed that the proceedings seemed very controlled and that the cases were taken seriously.

COMMENDATIONS

Judge Dodson's thorough introduction and transparency throughout the docket provided self-litigants with specific information regarding the proceedings and status of their individual cases.

With 88% of Petitioners and 79% of Respondents self-represented, the need for transparency of the process is vital. Judge Dodson offered a simply stated yet detailed introduction that included the purpose of the proceedings, options available to litigants, introduced various court personnel, and how testimony should be organized. In addition, the Judge outlined expectations of behavior while in court and how any violations during the proceedings would be addressed.

The Judge continued his transparency throughout the proceedings and regularly provided status updates and individual case information to the litigants. When calling the docket, the Judge informed Petitioners when no return of service was identified, and that court staff would work quickly to get their continuance paperwork to them. If there were any delays due to technical issues or information on a case was still being discussed, the Judge would announce these

delays clearly. Dockets were often long and announcing purpose of delays or status of case reassures litigants that their case is being taken seriously and their time is respected. Judge Dodson's transparency and approach strengthen the perception of how litigants feel they are treated in court and provided more trust in the process to both the Petitioners and Respondents.¹

This Judge has done more in the first hour than I have ever seen before. He is organized and professional and does it with compassion. This was a perfect courtroom experience.

The Bailiff, court staff and Judge adhered to recommended safety protocols developed by the St. Louis County Domestic Violence Court providing a safe environment for all parties present.

There were several noticeable safety related differences in this division than in prior divisions monitored by the Court Watch Project particularly around the care taken to ensure separation of parties. The Bailiff was stationed at the door of the courtroom almost 15 minutes prior to the start of docket to check individuals in and direct parties where to sit. The Bailiff also ensured that parties were not in the hallway together and monitored closely who was coming and going throughout the proceedings. The Court Officer who was stationed in the hallway to monitor any situations, regularly checked in with the Bailiff or stepped into the courtroom when needed.

It has been expressed in prior Court Watch Reports that the practice of having both Petitioner and Respondent at the bench just inches from each other can be distressing for victims when discussing their case or testifying. In Division 33, Judge Dodson kept parties seated in the audience while he asked simple questions about their consideration of entering into a consent agreement, litigants' requests for continuances, or other brief conversations. If needed, the Judge would have the Petitioner come to the bench and the Respondent stay seated confirming with them they could hear the full conversation. When a conversation seemed to become extended or more involved and the parties were not represented, Judge Dodson would have the parties meet separately with the volunteer lawyer. This approach allowed for privacy while still focusing on separation of parties.

Utilizing the tables in the courtroom during testimony has also been addressed and encouraged in past Court Watch Reports and was a regular practice in Division 33. While all default hearings were heard at the bench, all full hearings were conducted at the tables to again ensure separation of Petitioner and Respondent. The Bailiff was seated in between the tables and the Judge made an announcement regarding eye contact and behavior during testimony. With 99% of monitors indicating that the proceedings seemed very controlled, it is again

encouraged that the parties are separated at the tables during intimate partner adult abuse full hearings except for sensitive cases that are brought to the attention of the judge. In past discussions with other judges, the concern with this approach was lack of privacy during conversations. Judges could consider asking the Petitioner their preference for more privacy at the bench versus personal space at the tables during testimony.

St. Louis County Domestic Violence Court also has a recommended safety protocol when parties leave the court by holding Respondents an additional 15 minutes after the Petitioner has left. In 99% of the observed full hearings, the Bailiff and Court Officer would together to ensure this protocol was followed. During situations of continuances or consents, the clerk and Bailiff were often observed communicating and Respondents were consistently held in the courtroom. Advocates were also observed communicating with the Bailiff if more time was needed with the Petitioner and the Respondent could leave. An escort was then arranged with the Court Officer's assistance. The Court Watch Project Coordinator observed this practice regularly and the court personnel seemed to coordinate and communicate seamlessly.

Very impressed with both the Bailiff and Judge's efficiency, consistency and effort to address safety and courtroom protocols.

With the use of the Domestic Violence Court's resources and addressing cases in an efficient manner, the docket was productive and responsive to the individual characteristics of each case.

Despite the lengthy dockets, the proceedings ran efficiently due to several notable factors. First, cases were handled in an order that allowed for the greatest efficiency. Cases with no service were taken up first, followed by defaults then full hearings. Judge Dodson quickly informed Petitioners when their cases had no service and worked quickly to get their paperwork to them. A new practice of having advocates address no service cases and provide paperwork to the clerk was put into place toward the end of the six-month period. As suggested in both the Spring 2017 and Fall 2017 Court Watch Reports, utilizing advocates or clerks for no service cases would reduce the wait time for Petitioners and allow the judges to begin hearing default cases sooner. The advocates are currently handling no service cases due to a recent request by Judge Ghasedi in Division 43 and the process seems to be working well. This new process does provide a more efficient handling of the docket and increased opportunities for earlier interventions with an advocate.

Second, little time was spent on issues outside of the scope of the morning's purpose. The docket was reserved for orders of protection cases with no other custody or civil cases outside of that scope addressed. When the Judge identified that issues of a case may require more attention, the case was set for a different

time or continued to allow more investigation by the GAL or attorneys. Doing so, allowed for the Judge and court staff to handle large dockets as efficiently as possible.

Another factor that contributed to an efficient and productive docket was the early use of the volunteer lawyers in cases that were quickly identified as possible candidates. After docket was called, Judge Dodson would identify cases where both parties were present and not represented and address option of consent or a possible need to set up a custody plan prior to hearings. The details of cases were being actively addressed while the Judge could continue through other cases on the docket. Because the Judge utilizes the resources available through the specialized court, parties are provided with opportunities to have more face-time with those resources on the front-end and issues are resolved on a more individualized basis and not a cookie-cutter approach.

Overall, there was very little downtime or inactivity that was not explained by the Judge. All of the essential Court staff, especially the Judge's clerk and Bailiff, seemed prepared and knowledgeable about the processes that allowed for greater efficiency. The Judge's clerk was especially skilled in conducting multiple tasks, was prepared in advance for the docket, and was a pillar in ensuring the docket ran efficiently.

Judge is very flexible and adaptable. One IT support person worked on his computer and the Judge moved to another chair to continue through the docket.

Judge took care to provide efficiency without sacrificing humanity.

Consequences of violating the order were clearly outlined and the proceedings represented the seriousness of intimate partner adult abuse cases with the Judge and his court staff integrating the key elements of procedural justice.

In June of 2018, the St. Louis County Domestic Violence Court Coordinator and the Court Watch Project Coordinator attended a conference in Minneapolis, MN on how jurisdictions have established Domestic Violence Courts across the country. Victim safety and offender accountability were the cornerstones and key purposes for establishing a specialized domestic violence court. As highlighted in the *Adapting Deterrence Strategies for Domestic Violence Offenders* (2016) factsheet (see attachment) one piece of offender deterrence is the reminding in clear terms the consequences of not complying to orders. In Division 33, the Judge spent a considerable amount of time during his introduction reviewing the seriousness of Orders of Protection. He reviewed the consequences of violating the order and the possibility of jail time. In addition, the Judge expressed to Petitioners that it is the Court's responsibility to hold the Respondent accountable in certain areas such as complying with Batterer's

Intervention Program or firearm surrender. Batterers often blame victims when the justice system hold them accountable. This sends a clear message that the burden is on the Respondent to comply and the court to hold them accountable, not the victim.

Another essential element to offender deterrence is judicial monitoring with infractions being addressed swiftly and with both positive and negative incentives. Holding compliance hearings during the regular docket is another reminder to those sitting in the audience of how serious the St. Louis County Domestic Violence Court handle's violations of orders. Respondents in the audience see the consequences of not attending the Batterer's Intervention Program classes or surrendering firearms, while Petitioners see the courts holding the Respondents accountable. While there were very few compliance hearings that were brought in front of the Judge despite being on the scheduled docket, the Respondents that did appear were often seen briefly in front of the Judge. It is recommended to Judicial Leadership of the St. Louis County Domestic Violence Court that the practice of having Respondents appear in person for their first compliance hearing be made mandatory. This allows the Judge to again reiterate the parameters and consequences of the order, review possible sanctions due to non-compliance, and provide positive feedback if they are in full compliance. If not already established, specific sanctions for each non-compliance infraction should be identified and outlined for Respondents.

Every Judge that hears Order of Protections should be required to observe at least two of Judge Dodson dockets.

RECOMMENDATIONS

Recommendation 1: The St. Louis County Domestic Violence Court and its judicial leadership should consistently implement the recommended established protocols across all divisions hearing Order of Protection cases.

The St. Louis County Domestic Violence Court developed recommended Domestic Violence docket protocols addressing safety and security, consents, firearm surrender and how hearings should be conducted. Since July 2016, the Court Watch Project began consistently monitoring in St. Louis County and has monitored three separate divisions. There has been no clear consistency among the divisions of the actual use of those recommendations. Monitors who have monitored multiple divisions often inquired about the lack of consistency or resemblance of specific safety protocols for these cases.

Recommendation 2: All bailiffs, advocates and clerks working within the Domestic Violence Court should be trained on the recommended safety

protocols and those protocols should be consistently practiced across all divisions hearing Order of Protection cases.

The leadership at the Sheriff's Department overseeing the bailiffs and deputies assigned to the St. Louis County Domestic Violence Court should ensure the recommended safety protocols be adhered to in each division. If protocols have not specifically been approved, it is recommended that supervisors or leadership at the Sheriff's Department work with the Domestic Violence Court Coordinator and Judicial Leadership to establish those protocols.

It is recommended that judges, security staff and court personnel working specialized dockets addressing intimate partner violence receive initial and on-going training, ensuring all staff assigned to the dedicated dockets are sensitive to the unique needs and dynamics surrounding domestic violence. The volunteer advocates receive a series of trainings from the Volunteer Coordinator and should be included in any additional trainings on recommended safety protocols.

Other Resources

1. ADAPTING DETERRENCE STRATEGIES FOR DOMESTIC VIOLENCE OFFENDERS. RESOURCE AVAILABLE AT

http://www.courtinnovation.org/sites/default/files/documents/FactSheet_December2016_Deterrence_DV.pdf.

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